

House Bill 920 (AM)

By: Representatives Smith of the 70th and Horne of the 71st

A BILL TO BE ENTITLED

AN ACT

To amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local boards of education, and Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to the state employees' health insurance plan, so as to authorize local boards of education to provide health insurance benefits to certain members leaving office on or after a specified date if such members have served on the board for at least 12 years; to provide that such former members shall pay the entire cost of the health insurance coverage; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local boards of education, is amended in Code Section 20-2-55, relating to compensation of members of such boards, by striking subsection (b) and inserting in lieu thereof the following:

"(b)(1) A local board of education is authorized to provide group medical and dental insurance for its members who elect to participate. Such insurance may be provided through a group policy secured by the local school district, a group policy secured by several local school districts, a policy secured by an organization of local school boards, or in accordance with Code Section 45-18-5 providing for the inclusion of members of the local board of education and their spouses and dependents within any health insurance plan or plans established under Article 1 of Chapter 18 of Title 45. It Except for former members of the local board of education eligible for coverage under paragraph (4) of this subsection and under paragraph (2) of subsection (c.1) of Code Section 45-18-5, it shall be the duty of the board to make the employer contributions required for the operation of such plan or plans. Except as provided in paragraph (3) of this subsection, a board

1 providing such insurance shall pay no greater percentage of the cost of that insurance than
2 the percentage of the cost paid as an employer contribution by the state for the health
3 insurance plan for state employees pursuant to Article 1 of Chapter 18 of Title 45. The
4 remainder of such insurance costs, and all the costs of any coverage for family members,
5 shall be paid as an employee contribution by the board member. It shall be the duty of
6 the board to deduct from the salary or other remuneration of qualified members or
7 otherwise collect such payment from the qualified members or dependents.

8 (2) Taxes levied by or on behalf of a local board of education may be expended for
9 employer contributions, but not employee contributions, required for insurance coverage
10 of members of that board as provided in paragraph (1) of this subsection. Taxes levied
11 by or on behalf of a local board of education also may be expended for contributions
12 authorized in paragraph (3) of this subsection. Such expenditures on behalf of any
13 member may continue only as long as that member continues in office and makes any
14 employee contribution required for such coverage. That member, and eligible dependents
15 thereof, shall be ineligible for coverage pursuant to the provisions of paragraph (1) of this
16 subsection upon such person's ceasing to serve as a member of a local board of
17 education. Such expenditures on behalf of any member in accordance with paragraph (3)
18 of this subsection may continue only as long as that member continues in office and
19 makes any contribution which is not the result of the board of education's decision to
20 allow its members to participate in the health insurance plan. Expenditures authorized
21 by this Code section shall be in addition to, and not in lieu of, any salary, expense, per
22 diem, or other compensation payable to that member of a local board of education.

23 (3) If a board member is already a member of a health insurance plan established by
24 Article 1 of Chapter 18 of Title 45 as a retired employee and the result of the board of
25 education's decision to allow its members to participate is to establish dual eligibility for
26 a member and thus to increase the cost to such member of the state insurance plan, then
27 the local board may pay any additional cost imposed on such member as a result of the
28 local board's decision to allow its members to participate in coverage under paragraph
29 (1) of this subsection.

30 (4) The General Assembly may by local Act authorize a local board of education to
31 provide group medical insurance for a member, including such member's spouse and
32 dependents, who leaves office on or after December 31, 2006, if such member has served
33 at least 12 years as a member of the local board of education and if such member, spouse,
34 and dependents have been covered by such policy of group medical insurance
35 continuously for a period of at least one year immediately prior to such member leaving
36 office. A former member of a board of education who elects group medical insurance

1 coverage in accordance with this paragraph shall pay all costs of such insurance. The
2 local board of education shall remit such payments to the health insurance fund created
3 under Code Section 20-2-918."

4 **SECTION 2.**

5 Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to the
6 state employees' health insurance plan, is amended in Code Section 45-18-5, relating to
7 county officials and employees, by striking subsection (c.1) and inserting in lieu thereof the
8 following:

9 "(c.1) (1) Any local board of education may elect for members thereof and their spouses
10 and dependents to be included in any health plan or plans established under Code Section
11 20-2-918. It shall be the duty of any local boards of education so electing to deduct from
12 the salary or other compensation of its members such payment as may be required under
13 paragraph (1) of subsection (b) of Code Section 20-2-55 and to remit the same to the
14 health insurance fund created under Code Section 20-2-918.

15 (2) The General Assembly may by local Act authorize a local board of education to
16 provide health insurance for a member, including such member's spouse and dependents,
17 who leaves office on or after December 31, 2006, if such member has served at least 12
18 years as a member of the local board of education and if such member, spouse, and
19 dependents have been covered by such health insurance continuously for a period of at
20 least one year immediately prior to such member leaving office. Such former members
21 shall pay all the costs of the insurance, and the board of education shall remit such
22 payments to the health insurance fund created under Code Section 20-2-918."

23 **SECTION 3.**

24 This Act shall become effective on July 1, 2006.

25 **SECTION 4.**

26 All laws and parts of laws in conflict with this Act are repealed.